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Attorneys for Defendant  
MILLENNIUM ELECTRONICS, INC.

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

EVERFLOW TECHNOLOGY  
CORPORATION, incorporated under the  
laws of the Republic of China (Taiwan),

Plaintiff,

v.

MILLENNIUM ELECTRONICS, INC., a  
California corporation,

Defendant.

Case No. C07-05795 JF

**DECLARATION OF JAMES LORO IN  
OPPOSITION TO PLAINTIFF'S  
APPLICATION FOR ORDER OF WRIT OF  
ATTACHMENT**

Date: February 8, 2008

Time: 9:00 a.m.

Judge: Hon. Jeremy Fogel

I, James Loro, declare as follows:

1. I am the President of Millennium Electronics, Inc., a California corporation ("MEI") who is a defendant in this action. I have personal knowledge of the facts set forth herein, except as to those matters stated on information and belief which I believe to be true. If called upon to do so, I could and would competently testify thereto.

2. The products in question were not timely shipped, thereby causing losses to MEI and to its customers.

1           3.       Everflow is holding tooling that has been paid for and is refusing to either deliver  
2 such tooling or provide a credit for such tooling.

3           4.       Everflow is making claims for product that was never shipped.

4           5.       The amount that Plaintiffs allege they are owed in their APPLICATION FOR  
5 ORDER OF WRIT OF ATTACHMENT is incorrect.

6           6.       Attached hereto as Exhibit A is a true and correct copy of the Accounts Payable  
7 Aged Invoice Report relating to this matter.

8           I declare under penalty of perjury under the laws of the State of California that the  
9 foregoing is true and correct. Executed on January 18, 2008 at Morgan Hill, California.

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VENDOR/ INVOICE NO.	DATES			H L D	INVOICE BALANCE	DISCOUNT AMOUNT	CURRENT	30 DAYS	60 DAYS	90 DAYS	120 DAYS
	INVOICE	DUE	DSCNT								
EVE0002	EVERMODULE TECHNOLOGY CORP										
DM-499	09/01/07	09/01		N	584.60-	.00					584.60-
DM-507	11/07/07	12/22		N	21,278.40-	.00			21,278.40-		
DM-508	12/17/07	01/31		N	1,243.80-	.00		1,243.80-			
DM-510	12/31/07	02/14		N	113,058.00-	.00	113,058.00-				
EM070005	01/15/07	03/01		N	6,041.80	.00					6,041.80
EM070008	01/18/07	03/04		N	7,087.50	.00					7,087.50
EM070009	01/29/07	03/15		N	21,754.00	.00					21,754.00
EM070010	01/29/07	03/15		N	13,909.00	.00					13,909.00
EM070011	02/04/07	03/21		N	46,368.00	.00					46,368.00
EM070017	02/13/07	03/30		N	12,778.50	.00					12,778.50
EM070021	03/03/07	04/17		N	47,817.00	.00					47,817.00
EM070023	03/10/07	04/24		N	28,350.00	.00					28,350.00
EM070024	03/14/07	04/28		N	65,572.50	.00					65,572.50
EM070025	03/14/07	04/28		N	1,800.00	.00					1,800.00
EM070026	03/21/07	05/05		N	45,159.00	.00					45,159.00
EM070027	03/21/07	05/05		N	8,013.87	.00					8,013.87
EM070028	03/22/07	05/06		N	16,027.74	.00					16,027.74
EM070029	03/27/07	05/11		N	46,956.00	.00					46,956.00
EM070030	03/27/07	05/11		N	3,827.52	.00					3,827.52
EM070031	03/31/07	05/15		N	49,910.00	.00					49,910.00
EM070032	03/31/07	05/15		N	12,359.70	.00					12,359.70
EM070033	03/31/07	05/15		N	47,529.00	.00					47,529.00
EM070034	03/31/07	05/15		N	4,664.79	.00					4,664.79
EM070036	04/13/07	05/28		N	37,920.00	.00					37,920.00
EM070037	04/20/07	06/04		N	50.00	.00					50.00
EM070038	04/28/07	06/12		N	47,817.00	.00					47,817.00
EM070039	05/10/07	06/24		N	16,905.00	.00					16,905.00
EM070040	05/28/07	07/12		N	58,905.00	.00					58,905.00
EM070041	05/31/07	07/15		N	17,300.00	.00					17,300.00
EM070042	06/02/07	07/17		N	12,542.50	.00					12,542.50
EM070043	06/07/07	07/22		N	88,422.00	.00					88,422.00
EM070044	06/09/07	07/24		N	6,317.00	.00					6,317.00
EM070045	06/12/07	07/27		N	32,361.00	.00					32,361.00
EM070046	06/14/07	07/29		N	930.50	.00					930.50
EM070047	06/22/07	08/06		N	59,082.00	.00					59,082.00
EM070048	06/22/07	08/06		N	184.80	.00					184.80
EM070049	06/24/07	08/08		N	24,150.00	.00					24,150.00
EM070050	06/30/07	08/14		N	88,872.00	.00					88,872.00
EM070051	07/06/07	08/20		N	78,842.00	.00					78,842.00
EM070052	07/12/07	08/26		N	66,949.00	.00					66,949.00
EM070053	07/19/07	09/02		N	58,121.00	.00					58,121.00
EM070055	08/09/07	09/23		N	25,099.20	.00					25,099.20
EM070057	08/15/07	09/29		N	18,960.00	.00					18,960.00
EM070058	08/16/07	09/30		N	20,540.00	.00					20,540.00
EM070060	08/22/07	10/06		N	39,500.00	.00					39,500.00
EM070061	08/31/07	10/15		N	31,075.20	.00					31,075.20
EM070062	09/08/07	10/23		N	37,920.00	.00					37,920.00
EM070063	09/10/07	10/25		N	53,562.00	.00					53,562.00
EM070064	09/17/07	11/01		N	2,054.00	.00					2,054.00
EM070065	09/26/07	11/10		N	39,840.00	.00				39,840.00	
EM070066	09/27/07	11/11		N	35,656.80	.00				35,656.80	
EM070067	09/28/07	11/12		N	71,258.00	.00				71,258.00	
VENDOR EVE0002 TOTALS:					1420,897.12	.00	113,058.00-	1,243.80-	21,278.40-	146,754.80	1409,722.52
REPORT TOTALS:					1420,897.12	.00	113,058.00-	1,243.80-	21,278.40-	146,754.80	1409,722.52